

## HUMAN SERVICES DEPARTMENT[441]

### Notice of Intended Action

**Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”**

**Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.**

Pursuant to the authority of Iowa Code section 234.6, the Department of Human Services hereby gives Notice of Intended Action to amend Chapter 155, “Child Abuse Prevention Program,” Iowa Administrative Code.

These proposed amendments allow the Department to partner with the Iowa Department of Public Health (IDPH) through utilization of the Family Support Statewide Database (FSSD) maintained by IDPH for the Department’s Iowa Child Abuse Prevention Program (ICAPP).

Program grantees will cease use of the contractor-created system and transition to the IDPH system. It is anticipated that this will occur during State Fiscal Year (SFY) 2018. The majority of the grantees who will be impacted by this (approximately two-thirds of them) are already utilizing the FSSD system due to other funding received under Early Childhood Iowa. The other one-third will have their programs entered into the system and will receive training and technical assistance on the switch before it goes “live.”

Any interested person may make written comments on the proposed amendments on or before October 17, 2017. Comments should be directed to Harry Rossander, Bureau of Policy Coordination, Department of Human Services, Hoover State Office Building, Fifth Floor, 1305 East Walnut Street, Des Moines, Iowa 50319-0114. Comments may be sent by fax to (515)281-4980 or by e-mail to [policyanalysis@dhs.state.ia.us](mailto:policyanalysis@dhs.state.ia.us).

These amendments do not provide for waivers in specified situations because requests for the waiver of any rule may be submitted under the Department’s general rule on exceptions at 441—1.8(17A,217).

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code chapter 235A.

The following amendments are proposed.

ITEM 1. Amend **441—Chapter 155**, preamble, as follows:

These rules define and structure the child abuse prevention program. Services are provided through multiple local grant projects, as well as a single statewide performance-based contract for the administration of ~~funds to be used at the local level for~~ community-based child abuse prevention projects.

ITEM 2. Amend rule **441—155.1(235A)**, definitions of “Contractor” and “Grant project,” as follows:

“*Contractor*” means the single agency or organization with which the department contracts for the administration of the child abuse prevention program ~~funds~~.

“*Grant project*” means a project funded under the child abuse prevention program as awarded by the ~~contractor~~ department.

ITEM 3. Amend rule 441—155.2(235A) as follows:

**441—155.2(235A) Contract for program administration.** The department shall contract for the administration of the child abuse prevention program through formal competitive procurement conducted according to ~~the requirements of 11—Chapters 106 and 107~~ all applicable state and federal procurement laws.

**155.2(1)** No change.

**155.2(2) Duties.** The department shall contract with a single agency or organization to:

*a.* Administer the grant projects awarded through the appropriated funds and any grants, gifts or bequests to the department that are specifically designated by their source for use in the child abuse prevention program; and

*b.* Study and evaluate community-based prevention projects and educational programs for the problems of families and children in accordance with the provisions of Iowa Code section 235A.1 and this chapter.

ITEM 4. Amend rule 441—155.3(235A) as follows:

**441—155.3(235A) Awarding of grants.** In any year in which funding is appropriated or otherwise made available for the child abuse prevention program, the contractor shall solicit new grant project proposals or renew existing projects when eligible and in accordance with all applicable state and federal procurement laws. Funds for the grant projects shall be applied for and received by community-based volunteer coalitions or councils. Grant projects may be awarded to fund the establishment or expansion of community-based prevention projects or educational programs for the prevention of child abuse and neglect.

**155.3(1)** The advisory committee shall establish specific program goals for each fiscal year in which program funds are appropriated and new contracts are issued. These program goals shall address the current and emerging needs of children and families throughout the state.

**155.3(2)** The contractor shall assist the department in widely disseminate disseminating a request for grant project proposals consistent with all state and federal procurement requirements. The request for grant project proposals shall fully describe the child abuse prevention program goals and the procedures for applying for and receiving program funds, ~~as agreed upon in the administration contract.~~

**155.3(3)** All grant project proposals shall be reviewed by ~~the contractor, who~~ an independent review committee in accordance with all applicable state and federal procurement laws. The contractor shall assist the department in the review and shall consult with the advisory committee on grant project selection award recommendations. The department will consider the recommendations of the committee but will have final decision-making authority on the awarding of grantee contracts. The committee shall advise the department as to the contractor's compliance with the established program goals.

ITEM 5. Adopt the following new rule 441—155.4(235A):

**441—155.4(235A) Grantee requirements.** In order to receive funding from the department, community councils must be legal entities or must designate a legal entity to receive the project funds directly (e.g., a local service provider).

**155.4(1)** Grantees, or the identified service providers, shall participate in program evaluation as required by the contractor and the department.

**155.4(2)** Grantees, or the identified service providers, that provide family support services under the program shall enter participant data in the state-administered, Internet-based data collection system identified in Iowa Code section 256I.13(3) and maintained by the Iowa department of public health.